

## REMARKS

### I. Introduction

Claims 1-5, 9-25, and 35-40 have been rejected under 35 U.S.C. § 102 as anticipated by Narasimhan et al. U.S. patent 6,446,192 ("Narasimhan"). Claims 6-8 and 26-34 have been withdrawn from consideration. The rejection of claims 1-5, 9-25, and 35-40 is respectfully traversed.

### II. Claims 1-5

The last element of claim 1 specifies that data that has been brought into the integrated circuit chip via a communications port provided by an initial programming of the chip's programmable logic circuitry is used to "reprogram said programmable logic circuitry to function as other than communications port circuitry." (Emphasis added.) In the words of applicants' specification (e.g., page 13, line 10), this reprogramming "typically wipes out the preliminary configuration of PLD 40 as a communications port." (Emphasis added.) Claim 1 thus expressly states that after reprogramming, the programmable logic circuitry that was initially used as a communications port has another function that does not include a communication port function.

The undersigned attorney can find no clear teaching of this aspect of applicants' invention in Narasimhan. It appears to the undersigned attorney that all of the various communications ports in Narasimhan are dedicated circuitry to at least some extent. Some of these ports may be "programmable" in some respects. But the undersigned attorney sees no

clear teaching that programmable logic circuitry employed in these ports can be put to some other, non-communications-port use.\*

The portion of the Office action that purports to demonstrate that the last element of applicants' claim 1 can be found in Narasimhan (i.e., the first full paragraph on page 4 of the Office action) does not in fact do that. The first quotation in that paragraph is from applicants' specification, not Narashim. The subsequent underscored paraphrasings of Narasimhan seem to the undersigned attorney to have nothing to do with reconfiguring an initial programmable logic circuitry communications port to another, non-communications-port function. What have these general paraphrasings to do with the specifics of the last element of applicants' claim 1? For example, what does a general assertion about "a versatile collection of layered protocols" have to do with the last element of claim 1? Similarly, what relevance to this claim element have assertions about "a security sockets layer," "security functionality," "a secure sockets layer," "transport layer security," "network interface ... security," or "a password"? The undersigned attorney can see no relevance to any of this.

The Examiner should be able to point to some clear teaching in the reference of the last element of claim 1. If the Examiner cannot do this in a simple, clear, and straightforward manner, then the Examiner has not met his burden of establishing a prima facie case that claim 1 is anticipated by Narasimhan. As far

---

\* This sentence assumes, without conceding, that there is programmable logic circuitry associated with one or more communications ports in Narasimhan.

as the undersigned attorney can determine, the Examiner has not and cannot meet this burden. Claim 1 and its dependent claims 2-5 are therefore not properly rejected on the basis of Narasimhan, and these claims should accordingly be allowed.

### III. Claim 9-16

With regard to applicants' claim 9, the Office action points to a security feature of Narasimhan as anticipating the latter portion of the claim. In particular, the Office action paraphrases Narasimhan as providing "login authentication" in which, "upon connection, the user is prompted for a password [and] if the password is not correct, the connection will be refused." Even assuming that "refused" means that the connection is actually broken (i.e., severed, as specified by applicants in claim 9), this feature of Narasimhan does not teach what applicants specify in claim 9.

Claim 9 specifies, inter alia, that an Ethernet MAC connection is made (not "refused"); that data comes into the chip via that connection; that the connection is then severed; and that the data that was brought into the chip is used to program programmable logic of the chip for operations subsequent to severing of the connection. In contrast to all of this detail in claim 9, the Examiner can only point to Narasimhan's ability to "refuse" a connection that is not supported by a correct password. At most, this is nothing more than an aborted connection. It is not a connection over which data has been received for controlling operations of the device after the connection has been severed.

Once again, the Examiner has not met his prima facie burden of showing that Narasimhan anticipates claim 9. Claim 9 and its dependent claims 10-16 are therefore not properly rejected on the basis of Narasimhan, and these claims should accordingly be allowed.

#### IV. Claims 17-25

Claim 17 specifies establishing a meaningful connection via Ethernet MAC circuitry, bringing data into the chip via that connection for use in programming programmable logic circuitry on the chip, and then severing the Ethernet MAC connection. Once again, the only thing the Office action can cite to anticipate this is Narasimhan's ability to "refuse" a connection that is not supported by a correct password. The requirements of claim 17 go far beyond this meager prior art (which, in any event, is really irrelevant to the point of claim 17). Claim 17 is therefore not properly rejected on the basis of Narasimhan. Claim 17 and its dependent claims 18-25 should accordingly be allowed.

#### V. Claims 35-40

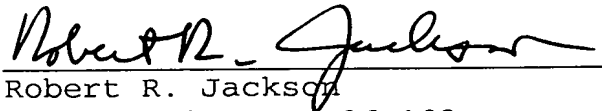
Claim 35 is another claim that specifies, inter alia, making a meaningful Ethernet MAC connection, bringing programming data into the chip via that connection, and then severing the Ethernet MAC connection. Once again, the Office action cites only the "refused" connection feature of Narasimhan as anticipating these requirements of claim 35. This prior art does not in fact anticipate all of these features of claim 35. Indeed, it is really irrelevant to the point of claim 35. Accordingly, claim 35 and

its dependent claims 36-40 are not in fact anticipated by Narasimhan, and these claims should accordingly be allowed.

VI. Conclusion

The foregoing demonstrates that claims 1-5, 9-25, and 35-40 should be allowed. Claims 6-8 and 26-34 have been withdrawn from consideration. This application is therefore in condition for allowance. Reconsideration and allowances are accordingly respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert R. Jackson", is written over a horizontal line.

Robert R. Jackson  
Registration No. 26,183  
Attorney for Applicants  
Fish & Neave IP Group  
Ropes & Gray LLP  
Customer No. 36981  
1211 Avenue of the Americas  
New York, New York 10036-8704  
Tel.: (212) 596-9000  
Fax: (212) 596-9090